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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/652,359	08/29/2003	David W. Grunow	16356.821 (DC-05237)	1316

27683 7590 06/20/2006

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EXAMINER	
PAPE, ZACHARY	

ART UNIT	PAPER NUMBER
2835	

DATE MAILED: 06/20/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/652,359	GRUNOW ET AL.	
	Examiner	Art Unit	
	Zachary M. Pape	2835	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *10 April 2006*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-21* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-21* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *26 September 2005* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

The following detailed action is in response to the correspondence filed 4/10/2006.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Won et al. (US 6,744,627).

With respect to claim 10, Won et al. teaches a docking system operable to detachably dock a portable device, the system comprising: a pair of moveable rear latches (67) operable to resiliently spread open (See Column 4, Lines 63-67, see also Column 5, Lines 28-33), matching slots (17), a pair of alignment pins (See present office action Fig 1 below) wherein the pair of alignment pins are operable to mate with corresponding notches on the portable device when the portable device is docked, and a plurality of side sections on the docking device (23 as illustrated in Fig 1), at least one of the side sections including an alignment fin (As illustrated in present office action Fig 1 below). Won et al. fails to teach that the docking station further comprises movable front latches operable to resiliently spread apart in an opposite direction from the movable rear latches when a substantially vertical force is applied to the portable

device, and matching front slots, however it would have been obvious to one having ordinary skill in the docking art at the time the invention was made to duplicate the movable rear latches (67) and matching slots (17) of Won et al. and create movable resilient front latches and matching slots which move in a direction opposite of the rear latches such that when applying a substantially vertical force on the portable device for docking, the docking device and portable device are secured [duplicating the rear latches (67) also includes duplicating their operation which in the case of the rear latches means that the latches move outwardly toward the rear and subsequent front latches would mean the operation moves outwardly toward the front thus the set of 4 total latches (2 front and 2 rear) move apart in opposite directions when a substantially vertical force is placed on the portable device] since it has been held that mere duplication of essential working parts of a device involves only routine skill in the art. St. Regis Paper Co. v. Bemis Co., 193 USPQ 8. Using four latches (2 in the front, and 2 in the rear) further re-enforces the connection and would prevent accidental disconnection between each device. (I.E. in the event that the user were to pickup the coupled device by just the portable device portion (11)).

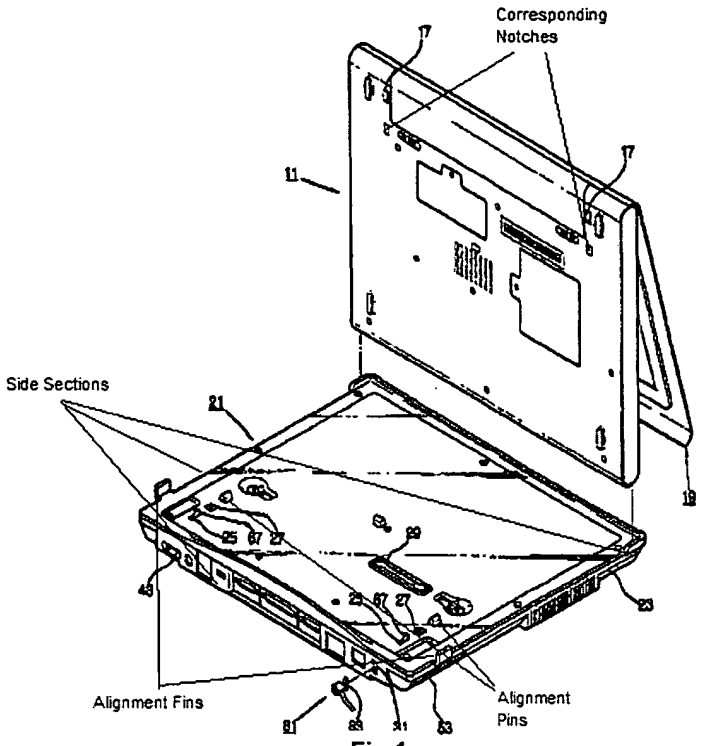

Fig 1

With respect to claim 11, Won et al. further teaches a substantially planar bottom section (surrounding 29), wherein the pair of moveable rear latches (17) and (duplicated) moveable front latches are affixed to the bottom section (As illustrated in Won Fig 1), wherein the pair of moveable rear latches and moveable front latches are aligned substantially perpendicular to the bottom section (As illustrated in Won Fig 1), a substantially planar top section (surrounding 17) being operative to receive a bottom section of the portable device for docking, wherein the top section includes openings (17) for the pair of moveable rear latches and moveable front latches to permit latching on to corresponding matching slots of the portable device when docked, (Column 5, Lines 28-34) wherein the docking causes the pair of alignment pins included in the top section to mate with the corresponding notches (See present office action Fig 1 above),

wherein at least one of the side sections includes a release latch (53) operable to undock the portable device.

With respect to claim 12, Won et al. further teaches that the top section includes at least one electrical connector for electrically coupling the portable device to the docking device when docked (Column 3, Lines 48-52).

With respect to claim 13, Won et al. further teaches that applying a vertical force on the portable device causes the pair of moveable rear latches (67) and (duplicated) moveable front latches to be slightly moved in an outwardly or inwardly direction. (Hole 25 allows for the latch (67) to move outward when a vertical force from the computer comes in contact with them as indicated by the slight angle (Best illustrated in Fig 4a) on the hook member of 67).

With respect to claim 14, Won et al. further teaches that the slight movement of the pair of the moveable rear latches and moveable front latches enables the corresponding matching slots to latch in response to the vertical force. (If a vertical force is applied as described in claim 13 above, after the latches are temporarily displaced in the provided groove (25), upon alignment of the matching slots the force on the hook from the spring will allow for the hook to enter into the slot and effectively latch the docking station to the computer).

With respect to claim 15, Won et al. teaches that the hook member (67) is displaced as described in claim 13 above, but fails to teach of a specific value (angle). It would have been obvious to one of ordinary skill in the art at the time the invention was made to displace the hook member (67) by 20 degrees since it has been held that

discovering an optimum value of a result effective variable involves only routine skill in the art. In re Boesch, 617 F.2d 272, 205 USPQ 215 (CCPA 1980). Displacing the hook member by only 20 degrees will allow for the hook to displace enough to allow it to latch to the mating piece, but will not damage the hook structure (I.E. displacing the hook to much could damage the hook).

With respect to claim 16, Won et al. further teaches that the pair of moveable rear latches and the (duplicated) moveable front latches include a spring mechanism (Fig 4a, 45a(45b), 4b) capable of providing a lateral force to latch the portable device in response to the vertical force, wherein the spring mechanism is in a loaded position while the portable device is being docked and in an unloaded position when the portable device is docked (Column 4, Line 32 – Column 5, Line 52).

With respect to claim 17, Won et al. further teaches that the docking system substantially resembles a rectangular prism.

With respect to claim 18, Won et al. teaches the use of an information handling system (11) comprising: a portable device, wherein the portable device includes: a processor, a system bus, a memory coupled to the processor through the system bus, (all such components are inherent in a computer as described by Won et al.) and a docking device (21) having at least one peripheral device (Column 1, Lines 28-31, Column 5, Lines 61-67), wherein the docking device is operable to detachably dock the portable device (via hooks 67), wherein the docking device includes: a pair each of moveable rear latches (67), wherein the pair of moveable rear latches are operable to resiliently latch on to corresponding matching slots (17, See Column 4, Lines 63-67, see

also Column 5, Lines 28-34) of the portable device in response to an application of a substantially vertical force on the portable device for docking, a plurality of side sections on the docking device (As illustrate in the present office action Fig 1 above), at least one of the side sections including an alignment fin (Present office action Fig 1 above); a pair of alignment pins (See present office action Fig 1 above), wherein the pair of alignment pins are operable to mate with corresponding notches (See present office action Fig 1 above) on the portable device when the portable device is docked, and a connector (29) to electrically couple the processor and the at least one peripheral device when the portable device is docked (Column 3, Lines 49-52).

Won et al. fails to teach the use of resilient moveable front latches and matching slots on the portable device which resiliently spread apart in an opposite direction to the rear latches when a substantially vertical force is applied to the portable device, however it would have been obvious to one having ordinary skill in the docking art at the time the invention was made to duplicate the resilient movable rear latches (67) and matching slots (17) of Won et al. and create resilient movable front latches and matching slots which move in a direction opposite of the rear latches such that when applying a substantially vertical force on the portable device for docking the docking device and portable device are secured [duplicating the rear latches (67) also includes duplicating their operation which in the case of the rear latches means that the latches move outwardly toward the rear and subsequent front latches would mean the operation moves outwardly toward the front thus the set of 4 total latches (2 front and 2 rear) move apart in opposite directions when a substantially vertical force is placed on the

portable device] since it has been held that mere duplication of essential working parts of a device involves only routine skill in the art. St. Regis Paper Co. v. Bemis Co., 193 USPQ 8. Using four latches (2 in the front, and 2 in the rear) further re-enforces the connection and would prevent accidental disconnection between each device. (I.E. in the event that the user were to pickup the coupled device by just the portable device portion (11)).

With respect to claim 19, Won et al. further teaches that applying a vertical force causes the pair of moveable rear latches (67) and (duplicated) moveable front latches to be slightly moved in an outwardly direction (Hole 25 allows for the latch (67) to move outward when a vertical force from the computer comes in contact with them as indicated by the slight angle (Best illustrated in Fig 4a) on the hook member of 67).

With respect to claim 20, Won et al. further teaches that the pair of moveable rear latches and the (duplicated) moveable front latches include a spring mechanism (Fig 4a, 45a(45b), 4b) capable of providing a lateral force to latch the portable device in response to the vertical force, wherein the spring mechanism is in a loaded position while the portable device is being docked and in an unloaded position when the portable device is docked. (Column 4, Line 32 – Column 5, Line 52).

With respect to claim 21 won et al. teaches the use of an information handling system comprising: a portable device (11), wherein the portable device includes: a chassis, a microprocessor mounted in the chassis, a storage device coupled to the microprocessor (inherently a computer must contain a chassis, a microprocessor, and a storage device), and a docking device (21) having at least one peripheral device

(Column 1, Lines 28-31, Column 5, Lines 61-67), wherein the docking device is operable to detachably dock the portable device (via hooks 67), wherein the docking device includes: a pair each of moveable rear latches (67), wherein the pair of moveable rear latches are operable to resiliently latch on to corresponding matching slots (17, See Column 4, Lines 63-67, see also Column 5, Lines 28-34) of the portable device in response to an application of a substantially vertical force on the portable device for docking, a plurality of side sections (See present office action Fig 1 above) on the docking device, at least one of the side sections including an alignment fin (See present office action Fig 1 above) a pair of alignment pins (See present office action Fig 1 above), wherein the pair of alignment pins are operable to mate with corresponding notches (See present office action Fig 1 above) on the portable device when the portable device is docked, and a connector (29) to electrically couple the processor and the at least one peripheral device when the portable device is docked (Column 3, Lines 49-52). Won et al. fails to teach the use of resilient moveable front latches and matching slots on the portable device which resiliently spread apart in an opposite direction to the rear latches when a substantially vertical force is applied to the portable device, however it would have been obvious to one having ordinary skill in the docking art at the time the invention was made to duplicate the resilient movable rear latches (67) and matching slots (17) of Won et al. and create resilient movable front latches and matching slots which move resiliently in a direction opposite of the rear latches such that when a substantially vertical force is placed on the portable device for docking the docking device and portable device are secured [duplicating the rear latches (67) also

includes duplicating their operation which in the case of the rear latches means that the latches move outwardly toward the rear and subsequent front latches would mean the operation moves outwardly toward the front thus the set of 4 total latches (2 front and 2 rear) move apart in opposite directions when a substantially vertical force is placed on the portable device] since it has been held that mere duplication of essential working parts of a device involves only routine skill in the art. St. Regis Paper Co. v. Bemis Co., 193 USPQ 8. Using four latches (2 in the front, and 2 in the rear) further re-enforces the connection and would prevent accidental disconnection between each device. (I.E. in the event that the user were to pickup the coupled device by just the portable device portion (11)).

With respect to claims 1-9, the method steps recited in the claims are inherently necessitated by the device structure as taught by the Won et al. reference as disclosed above.

Response to Arguments

2. Applicant's arguments filed 4/10/2006 have been fully considered but they are not persuasive.

With respect to the Applicants' remarks to independent claims 1, 10, 18 and 21, that, "Won does not apply a substantially vertical force on the portable device to cause the docking, wherein the pair of moveable rear latches and the moveable front latches are operable to resiliently spread apart in opposite directions to movable latch on to corresponding matching slots of the portable device when docked whereby the docking

device and portable device are secured", the Examiner respectfully disagrees. As detailed in the rejection above, the Examiner asserts that merely adding a second set of latches to the docking station of Won is an obvious improvement over the stated teachings. The Examiner further asserts that Won presently teaches applying a substantially vertical force to the portable device to cause the docking (See Column 6, Lines 4-6 where Won teaches that the bottom of the portable device comes in contact with the top of the docking station which requires a substantially vertical force). Since Won teaches the vertical force, and it would be obvious to add a second pair of latches (which operate in the same manner as disclosed by the rear latches of Won) simply applying a substantially vertical force will allow for the modified docking station of Won to dock to the portable device.

In response to applicant's argument that the Examiner's conclusion of obviousness is based upon improper hindsight reasoning, it must be recognized that any judgment on obviousness is in a sense necessarily a reconstruction based upon hindsight reasoning. But so long as it takes into account only knowledge which was within the level of ordinary skill at the time the claimed invention was made, and does not include knowledge gleaned only from the applicant's disclosure, such a reconstruction is proper. See *In re McLaughlin*, 443 F.2d 1392, 170 USPQ 209 (CCPA 1971). In the present case the Examiner respectfully submits that utilizing multiple latching mechanism to latch two devices together was of ordinary skill in the art at the time the invention was made (as evidenced by the fact that Won uses not one but two latches to latch the portable device to the docking station). Further the Examiner

respectfully notes that since Won teaches the use of multiple latching mechanisms to latch the two devices, such knowledge was not only gleaned from the applicant's disclosure.

With respect to the applicants' remarks to claims 1, 10, 18, and 21 that, "Won does not suggest (front and rear latches that move apart is opposite directions) the Examiner respectfully disagrees. Won teaches rear latches (67) which resiliently move in the opening (25) to accept an aperture (17) on a portable device (See Column 5, Lines 22-34). Won further suggests adding additional latches in Column 7, Lines 24-30 where Won states, "those skilled in the art will appreciate that various modifications, additions, and subtractions are possible, without departing from the scope and spirit of the invention as disclosed in the accompanying claims and equivalents thereof". The Examiner respectfully notes that adding (front) latches that operate in much the same manner as the rear latches taught by Won is an addition which is within the scope and spirit of the teachings since the scope of the teachings includes latching a portable device to a docking station.

Conclusion

3. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Zachary M. Pape whose telephone number is 571-272-2201. The examiner can normally be reached on Mon. - Thur. & every other Fri. (8:00am - 5:00pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lynn Feild can be reached at 571-272-2092. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Lisa Lea-Edmonds

LISA LEA-EDMONDS
PRIMARY EXAMINER

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

ZMP